

PART 3

RESPONSIBILITY FOR FUNCTIONS

(i) Terms of Reference

Responsibility for Functions

The Local Authorities (Functions and Responsibilities) England) Regulations 2000 (as amended) require that certain parts of the structure of the Council must be responsible for certain decisions. The Regulations specify:

- (a) Functions which are not to be the responsibility of the Council's Cabinet
- (b) Functions which may be (but need not be) the responsibility of the Cabinet; ("local choice" functions); and
- (c) Functions which are to some extent the responsibility of the Cabinet.

All other functions not so specified are to be the responsibility of the Cabinet.

Responsibility for Cabinet Functions

Appendix 2 to this part of the Constitution sets out which functions are the responsibility of the Leader. The Leader may delegate responsibility for these functions to the Cabinet, individual Cabinet Members or Officers. Cabinet functions are all the statutory functions of the District Council except those listed or referred to in Appendices 3 and 4.

Responsibility for Local Choice Functions

Appendix 3 to this part of the Constitution sets out which "local choice functions" are the responsibility of the Council and/or its Committees and which are the responsibility of the Cabinet.

Responsibility for Council Functions

These functions, which are listed in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) may not be the responsibility of the Council's Cabinet. Appendix 4 identifies these functions and indicates where responsibility lies within the Council. The functions listed in Appendix 1 can only be determined by the Council.

Responsibilities Delegated to Officers

The extent to which the functions described above have been delegated to Officers is set out in the Council's Scheme of Delegation, shown in this Part of the Constitution.

APPENDIX 1**RESERVATION OF POWERS TO THE COUNCIL (Matters which will be determined by the Council)**

Only the Council will normally exercise the following functions:

- Adoption of the Constitution and any subsequent changes to it (apart from changes to Part 3 in relation to Cabinet functions which will be discharged by the Leader and reported to the Council)
- Election of Chairman and appointment of Vice-Chairman
- Establishment of the Council's Committees
- Election and removal of the Leader of the Council
- Allocation of Members to Committees on the request of the Group Leaders
- Adoption of Scheme of Members' Allowances
- Adoption of the Members' Code of Conduct
- Approval of the Policy Framework as set out in the following 4 bullet points
 - Approval of the Corporate Strategy
 - Setting of the Policy Budget and Council Tax and approval of the Capital Programme
 - Approval of proposed submission local plan documents in accordance with Part 6 of the Town and Country Planning (Local Planning) (England) Regulations 2012
 - Adoption of a local plan document in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012
- Receive the Cabinet Leader's Statement
- Approval of statement of licensing policy under Licensing Act 2003 and statement of principles under Gambling Act 2005
- Consideration of public Questions with the exception of questions submitted under Standing Orders to be answered at an Cabinet or Committee meeting
- Consideration of questions from Members to the Leader/Cabinet Members
- Consideration of any recommendations from the Cabinet
- Consideration of any recommendations from Committees as appropriate
- Confirmation of appointment of Head of the Paid Service
- Confirmation of dismissal of Head of Paid Service, S151 Officer and Monitoring Officer, taking account of the recommendations of the Appointments Committee, the conclusions of any investigation and any representations from the relevant officer
- Appointment of Leader and Deputy Leader of the Opposition
- Determination of those matters relating to elections and electoral registration which it is required to do by legislation
- Power to make, amend, revoke, re-enact or enforce byelaws or to promote or oppose local or personal Bills
- Debate wider issues affecting the District
- Consideration of reports of Head of Paid Service (Section 4 of the Local Government and Housing Act 1989), Monitoring Officer (Section 5 of the Local Government and Housing Act 1989), Chief Finance Officer (Sections 114 and 115 of the Local Government Finance Act 1988) and the Auditor under Section 8 of the Audit Commission Act 1998 (NB: Any Monitoring Officer reports under S.5 relating to Cabinet functions would be made to the Cabinet)
- Designation of the appropriate officers as S151 Officer, Monitoring Officer, Electoral Registration Officer (including Deputy) and Returning Officer
- Notices of Motion from Members relating to non-Cabinet functions unless referred to the Cabinet or a Committee as set out in Standing Orders
- Any local choice functions which the Council decides should be undertaken by itself rather than the Cabinet
- Any other matters which by law must be reserved to the Council.

Any decision by the Council in respect of any third party engagement that may directly or indirectly commit the Council may only be exercised after the views of Local Ward Members have been sought.

APPENDIX 2**Responsibility for Leader Functions**

- (i) The Leader will exercise the Cabinet functions of the Council and determine the Scheme of Delegation for Cabinet functions between:

The Cabinet as a whole
Individual Members of the Cabinet
Officers of the Council, and
Joint arrangements

- (ii) Those functions comprising Cabinet functions are defined by reference to Law and the Council's Constitution, and this Scheme must at all times be implemented in accordance with the Law and the Constitution.

- (iii) The Leader must appoint a Deputy Leader, and notify their appointment to the Executive Head of Service (with responsibility for Democratic and Electoral Services). If for any reason the Leader is unable to act, or the office of elected Leader is vacant, the Deputy will act in his or her place. If the Deputy Leader is unable to act or the office of Deputy Leader is vacant, then the Cabinet must act in his or her place.

- (iv) **Appointment, Removal and Change of Deputy Leader and other Cabinet Member(s)**

The Leader shall give five working days' notice in writing of the appointment, removal and/or replacement of the Deputy Leader or other Cabinet Member(s) to the Democratic & Electoral Services Manager who will, as soon as possible, post the information on the Council's website and report it to the next meetings of the Cabinet and the Council.

- (v) The Leader must maintain a Scheme of Delegation recording the allocation of Cabinet functions.

- (vi) **Changes to Leader's Scheme of Delegation**

The Leader shall give five working days' notice in writing of any changes to his/her Scheme of Delegation to the Democratic and Electoral Services Manager who will then publicise the information as set out in (v) above, and report the changes to the next meeting of the Council.

- (vii) The Cabinet is appointed by the Leader pursuant to Section 11 (2A) of the Local Government Act 2000. The Cabinet currently comprises nine Members (including the Leader). Their portfolios are decided by the Leader.

- (viii) The Cabinet may discharge all Cabinet Functions.

- (ix) The Council has determined that certain "Local Choice" functions are to be the responsibility of the Cabinet. These functions are set out in Appendix 3 of this section.

- (x) Any questions about the interpretation of any part of this Scheme of Delegation will be determined by the Head of Paid Service.

- (xi) This Scheme of Delegation will come into operation 48 hours after receipt by the Democratic and Electoral Services Manager.

(NOTE: The Leader may delegate responsibility for these functions to the Cabinet and/or Officers.)

APPENDIX 3**Responsibility for local choice functions**

“Local Choice” Functions are those statutory functions of the Council which can be exercised by the Council (or a Committee or Officer of the Council), by the Leader or by the Cabinet.

Function	Decision making body	Delegation of functions
Any function under a local Act (other than a function specified or referred to in Regulation 2 or Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended))	Cabinet	Authority to undertake some of these functions has been delegated to Officers in accordance with the Council's Scheme of Delegation set out in this Part of the Constitution.
Any function relating to contaminated land.	Cabinet	
The discharge of any function relating to the control of pollution or the management of air quality.	Cabinet	
The service of an abatement notice in respect of a statutory nuisance.	Cabinet	
The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the District.	Cabinet	
The inspection of the District to detect any statutory nuisance.	Cabinet	
The investigation of any complaint as to the existence of a statutory nuisance.	Cabinet	
The obtaining of information under Section 330 of the Town and Country Planning Act 1990 as to interests in land.	Cabinet	
The obtaining of particulars of persons interested in land under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976	Cabinet	
The appointment of any individual:- (a) to any office other than an office in which he/she is employed by the authority; (b) to any body other than:- (i) the authority; (ii) a joint committee of two or more authorities; or (c) to any committee or sub-committee of such a body, and the revocation of any such appointment.	Council (at the Annual Meeting)	
The determination of any appeal against any decision made by or on behalf of the Council (other than staffing or licensing matters)	Council	
Approval of the Council's final accounts and financial statement.	Audit Committee	

NB: Once The Council has determined that a “local choice” function is an Cabinet function, it falls to the Leader to determine whether he/she, the Cabinet or an Officer will exercise that function.

Appendix 4

Responsibility for Council (Non-Cabinet) Functions

“Council Functions” are the statutory functions of the Council which may not be exercised by the Cabinet.

Responsibility for Council (Non-Cabinet) Functions			
Council/Committee	Membership	Functions	Delegation of Functions
Development Control	up to 19 Members appointed by the Council	<p>Functions relating to town and country planning, development management and building control in so far as they are the responsibility of the District Council as specified in Section A of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended).</p> <p>Functions relating to trees and hedgerows as specified in Section A of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended).</p>	Authority to undertake some of these functions has been delegated to officers in accordance with the Council’s Scheme of Delegation set out in this part of the Constitution.
Licensing	up to 11 Members appointed by the Council	<p>Except as otherwise provided in the Licensing Act 2003, the Gambling Act 2005 and the Scrap Metal Dealers Act 2013, all functions of the licensing authority prescribed by those Acts or any Regulation made thereunder.</p> <p>All other functions relating to licensing and registration in so far as they are the responsibility of the District Council, <i>other than those functions relating to the licensing of films for public exhibition</i>, as specified in Section B of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended).</p> <p>All functions relating to health and safety at work in so far as they are the responsibility of the District Council as specified in Section C of Schedule 1 to the Local</p>	Authority to undertake some of these functions has been delegated to the Licensing Sub-Committee and to officers in accordance with the Council’s Scheme of Delegation set out in this part of the Constitution.

		<p>Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended).</p> <p>The powers and functions relating to the late night levy requirements as specified in Section B of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended).</p>	
Standards Committee	6 Members of the Council and 2 Parish Council representatives (non-voting).	<p>To promote and maintain high standards of conduct by Councillors</p> <p>To hear and determine misconduct allegations referred to it</p>	Authority to undertake some of these functions has been delegated to the Complaints Sub-Committee.
Appointments Committee	<p>5 Members of the Council at least one of whom must be a Member of the Cabinet (Regulation 4(2), The Local Authorities (Standing Orders) (England) Regulations 2001)</p> <p>Where the Committee is considering the dismissal of a statutory officer, it will also include 2 Independent Persons appointed under Section 28(7) of the Localism Act 2011</p>	<p>When an Appointments Committee is established:</p> <p>To recommend to Council the appointment of the Head of Paid Service, subject to no well founded objection being made by any Member of the Cabinet</p> <p>To make any Director level appointment, subject to no well founded objection being made by any Member of the Cabinet</p> <p>[The following process will be followed in relation to the above appointments if it is not proposed to appoint exclusively from among the Council's existing officers or officers entitled to be treated as such. A job description and person specification for the post is drawn up, the post advertised appropriately, the job description and person specification sent to any interested person and suitably qualified applicants</p>	

		<p>shortlisted and interviewed. If no qualified person applies the post will be re-advertised.]</p> <p>To consider and recommend to Council dismissal or disciplinary action in relation to the Head of Paid Service, S151 Officer, Monitoring Officer or Director level position (or other officer appointed by the Committee), subject to no well founded objection being made by any Member of the Cabinet, in accordance with statutory Standing Orders. The Head of Paid Service, Monitoring Officer or S151 Officer may not be dismissed by the Council unless 2 Independent Persons are appointed to the Committee and that Committee is appointed at least 20 working days before the Council meeting at which any recommendation to dismiss will be considered.</p>	
Council	41 Members of the Council.	The Council is responsible for the functions (in so far as they are a District Council responsibility) set out in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) which have not been delegated to any other Committee as described above.	Authority to undertake some of these functions has been delegated to officers in accordance with the Council's Scheme of Delegation set out in this part of the Constitution.

TERMS OF REFERENCE OF THE CABINET

Article 9 in Part 2 of the Constitution provides that the Cabinet will carry out the Cabinet functions delegated to it by the Leader. These functions are detailed in the table below and are in addition to those functions set out shown in the table of “local choice” functions set out in Part 3, Appendix 3.

Any decision of the Cabinet in respect of any third party engagement that may directly or indirectly commit the Council may only be exercised after the views of Local Ward Members have been sought.

1	Providing leadership and direction for the Council
2	Keeping the Council's policies and objectives under review and initiating new policy proposals in relation to any of the Council's responsibilities and functions
3	Approval of all policies and strategies not within the remit of the Council or any other Committees such as the Audit Committee.
4	Considering and recommending to the Council the amount of Council Tax to be levied based on a Budget which has been prepared by the Cabinet in accordance with the Council's approved budget and policy framework
5.	In-year appointments to Outside Organisations.
6.	Dealing with or reporting to the Council on any matter not within the remit of another Committee or the scheme of delegation or affecting the functions of more than one Committee or reporting to the Council where a decision will be contrary to any plan or strategy adopted or approved by the Council.
7.	Dealing with any review or alteration of Parliamentary or Local Government boundaries and areas or the representational naming of such areas – provided that there shall be reserved to the Council any final decision or expression of views relating to the alteration of: <ul style="list-style-type: none"> • Any Local Government area boundary affecting the District • Any Electoral District or area; and • The number of Members of the Council
8.	Submitting recommendations to the Council on the structure, constitution, membership and functions of all Committees of the Council, where appropriate.
9.	Local Plan <ul style="list-style-type: none"> • Recommending the Local Plan documents to the Council where appropriate
10.	To receive reports from the Scrutiny Committee via the Chairman of the Committee
11.	To receive reports from the Audit Committee via the Chairman of the Committee.
12.	“Local Choice” functions as set out previously in Part 3, Appendix 3

Any changes made by the Leader in relation to Cabinet functions will be reported to the next appropriate meeting of the Council.

The Leader has also delegated certain Cabinet functions to officers and these are contained together with the regulatory delegated functions in the Scheme of Delegation to Officers as set out in Part 3 (ii) of the Constitution.

TERMS OF REFERENCE OF THE SCRUTINY COMMITTEE

The Council will appoint a Scrutiny Committee to discharge the scrutiny and review functions conferred by Section 21 of the Local Government Act 2000 or Regulations made under Section 32 of the Local Government Act 2000, as follows:-

1. Review decisions made and actions taken by the Cabinet or any of the Council functions with the exception of regulatory decisions (where third party rights might be affected) and decisions of the Standards Committee.
2. Review, monitor or scrutinise the performance of the Council in relation to its policy objectives, performance targets, action plans and relationship with external partnership bodies and organisations.
3. To undertake investigations into such matters relating to the Council's functions and powers as:-
 - (i) may be referred by the Council or Cabinet; or
 - (ii) the Committee may consider appropriate
 - (iii) have been referred to the Committee pursuant to the 'call-in' procedure set out in the Scrutiny Procedure Rules in Part 4 of this Constitution.

In respect of (i) and (ii) above:-

- Where the proposals relate to Cabinet functions, the report shall be referred initially to the Scrutiny Committee and then to the Cabinet for adoption.
- Where the proposals relate to the Council (non-Cabinet/non-regulatory) functions, the report shall be referred initially to the Scrutiny Committee and then to the Cabinet for comments and, if appropriate, further recommendations. The report, together with any comments or recommendations agreed by the Cabinet, shall then be referred to the Council for adoption.

Where a Cabinet report is first considered by the Council, that report will not be submitted to the Scrutiny Committee.

4. Establish Scrutiny Panels where appropriate to the Scrutiny functions.
5. Make recommendations to the Cabinet or the Council arising from the outcome of the scrutiny process.
6. Question the Leader and/or Cabinet Members and/or Officers on areas within their remit.
7. To receive the annual report in respect of complaints and from the Ombudsman.

8. Consider requests from Members for a review of matters affecting the District or its inhabitants including the reference of any local government matter relevant to the functions of the Committee.
9. Review and scrutinise the performance of other public and private organisations, where they are contributing to helping the Council achieve its objectives.
10. To review by way of a standing item on the agenda, the Cabinet's Forward Plan.
11. To review or scrutinise decisions made, or other actions taken by the local Community Safety Partnership (CSP) in connection with the discharge of their Crime and Disorder function.
12. To review or scrutinise the Council's functions relating to equality and diversity.

TERMS OF REFERENCE OF THE AUDIT COMMITTEE

The Council will appoint an Audit Committee to discharge the Audit functions conferred on the Council as follows:-

1. To provide the Council with:
 - independent assurance of the adequacy of the risk management framework and the associated control environment;
 - independent scrutiny of the authority's financial and non-financial activities and performance to the extent that it affects the authority's exposure to risk and weakens the control environment;
 - and to monitor the financial reporting process;
2. To consider the reports of external audit and other inspection agencies and to seek assurances that action is being taken on risk related issues identified.
3. To be satisfied that the authority's assurance statements, including the Statement of Corporate Governance and Annual Governance Statement, properly reflect the risk environment and any actions required to improve it.
4. To review and scrutinise the financial statements, external auditors' opinion and reports to members and monitor management action in response to the issues raised by external audit.
5. To monitor the implementation of the Accounts and Audit Regulations 2003/533 (as amended or replaced) including the Statement of Accounts and the Council's Statement of Accounting Policies.
6. To approve the Council's internal audit strategy and work plans, and to monitor performance against the agreed strategy.
7. To review internal audit reports and the main issues arising, and to seek assurance that appropriate actions have been taken where necessary.
8. To review the effectiveness of Internal Audit.
9. To scrutinise the Council's Treasury Management strategy and functions.
10. To scrutinise the Council's risk management arrangements.
11. To scrutinise the Council's corporate counter fraud arrangements.
12. To maintain an overview of the Council's Contract Standing Orders and Financial Regulations.
13. To consider other matters as referred to the Committee by the Chief Executive or Section 151 Officer.

TERMS OF REFERENCE OF THE DEVELOPMENT CONTROL COMMITTEE

1. All functions relating to town and country planning and development management in so far as they are the responsibility of the District Council as specified in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended including determination of planning applications and other related development management matters, enforcement matters, Tree Preservation Orders and High Hedges, legal determinations and agreements and the carrying out of non-determining site visits.

TERMS OF REFERENCE OF THE STANDARDS COMMITTEE

1. Except where such matters are the responsibility of the Council, to exercise all the functions of the Council relating to standards and in particular to promote and maintain high standards of conduct by Members and co-opted Members.
2. To advise the Council on the adoption or revision of the Members' Code of Conduct.
3. To advise the Council generally on matters relating to the ethical conduct of the Council and its Members.
4. To monitor the operation of the Members' Code of Conduct.
5. To advise or arrange to train Members and co-opted Members on ethical matters including the Members' Code of Conduct.
6. To grant dispensations to Members and co-opted Members from requirements relating to interests set out in the Members' Code of Conduct.
7. To deal with all reports on Members' conduct from the Monitoring Officer.
8. To establish Sub-Committees to hear and determine allegations about the conduct of Members where an allegation requires investigation and the Investigation concludes that there has been a breach of the Code of Conduct.
9. To exercise the above in relation to the Parish Councils within Mole Valley (where appropriate).
10. To authorise appropriate delegation to Officers.
11. To be responsible for the granting and supervision of exemption of posts from political restrictions.

TERMS OF REFERENCE OF THE LICENSING COMMITTEE

1. Except as otherwise provided in the Licensing Act 2003, the Gambling Act 2005 and the Scrap Metal Dealers Act 2013, to exercise and perform all functions of the licensing authority prescribed by those Acts or any Regulation made thereunder.
2. All other functions relating to licensing and registration in so far as they are the responsibility of the District Council as specified in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended
3. All functions relating to health and safety at work in so far as they are the responsibility of the District Council as specified in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended
4. To decide if the late night levy requirement is to apply in the area of the licensing authority, in accordance with Chapter 2 of Part 2 of the Police Reform and Social Responsibility Act 2011 and any regulations made under that Chapter.
5. To appoint Licensing Sub-Committees to hear applications delegated to the Sub-Committees as set out in Annex 1.
6. To appoint time limited Sub-Committee and Working Groups where appropriate.

ANNEX 1

Licensing Powers reserved to the Sub-Committee

MATTER TO BE DEALT WITH	SUB-COMMITTEE
Application for personal licence	If a police objection
Application for personal licence, with unspent convictions	All cases
Application for premises licence/club premises certificate	If a relevant representation made
Application for provisional statement	If a relevant representation made
Application to vary premises licence/ Club registration certificate	If a relevant representation made
Application to vary designated Premises supervisor	If a police objection
Request to be removed as designated premises supervisor	
Application for transfer of premises licence	If a police objection
Application for Interim authorities	If a police objection
Application to review premises licence/club premises certificate	All cases
Decision on whether a representation Is irrelevant, frivolous, vexatious, etc	
Decision to object when local authority is a consultee and not the lead authority	All cases
Determination of a police objection to a temporary event notice	All cases
Application/renewal for mobile licence	All cases
Application/renewal for site licence	All cases
Variation and revocation of mobile and site licences	If relevant representation made

TERMS OF REFERENCE OF WORKING GROUPS AND FORA

TERMS OF REFERENCE OF THE ASSET INVESTMENT WORKING GROUP

Purpose

The Asset Investment Working Group is established by the Council, the primary purposes of which are:

- (a) To consider recommendations from officers regarding the potential purchase of a property asset, prior to submission of a bid. This includes consideration of the yield, and the investment evaluation based on the criteria set out in the Asset Investment Strategy. This is informed by analysis carried out by the commercial property agent acting on MVDC's behalf in a potential purchase (appointed on a case by case basis). The ultimate consideration is whether to submit a bid or not, and at what value.
- (b) To consider the results of the due diligence process, (following acceptance of an offer from MVDC to purchase an asset), with the ultimate consideration of whether to endorse the purchase and proceed to exchange and completion of contracts.

Membership

- The Leader of the Council
- The Cabinet Member for Finance, Performance and Risk
- The Cabinet Member for Prosperity
- The Cabinet Member for Wellbeing
- The Chairman of Scrutiny Committee
- The Leader of the Group not represented by the Chairman of Scrutiny Committee
- The Chief Executive
- The Deputy Chief Executive (Chief Financial Officer)
- The Executive Head with responsibility for Investment and Regeneration
- The Investment and Regeneration Manager
- The Financial Services Manager
- The Legal Services Manager (Deputy Monitoring Officer)
- The Democratic & Electoral Services Manager (Monitoring Officer)

Given the short notice that may often be inevitable in convening meetings of the Asset Investment Working Group, all members of the Working Group (both Members and Members) shall nominate substitutes if they are unable to attend, or meetings may be held on a 'virtual' basis (e.g. by conference call or possibly by a service of exchanges of emails).

Quorum

A simple number based quorum is not required (particularly as the Working Group is not a decision-making body), although a meeting should include:

- at least two of: the Chief Executive; the Deputy Chief Executive; and the Executive Head with responsibility for Prosperity (as these are the officers who, constitutionally, would be formally making decisions based on the advice of the Working Group), and;
- at least two of: the Leader; the Cabinet Member of Finance, Performance and Risk; the Cabinet Member for Prosperity and the Cabinet Member for Wellbeing (or their nominees).

Frequency of meeting

The Working Group will be convened as required.

Future Action

Following the meeting of the Working Group, the meeting notes will include:

- the views of the group;
- the action proposed to be taken by the officers; and
- the concurrence of the Leader, Cabinet Member for Prosperity and Scrutiny Committee to comply with the requirements of the Constitution (e.g. covering the aspects of Key Decisions, Special Urgency and consultation with the Chairman of the Scrutiny Committee).

All decisions relating to both offers to purchase, and subsequently, to move to completion of a purchase, will be reported to the next available meeting of the Council.

AVIATION WORKING GROUP

The Aviation Working Group is a Group established by the Cabinet to provide advice to the Cabinet on Aviation matters, with particular focus on responding to the Airports Commission nationwide consultation in the Autumn of 2014.

The Working Group will consist of 5 Members of the Council, will be politically balanced and will be chaired by the Cabinet Member for Planning (who will be one of the 5 members) or his/her nominee. The Working Group will:

- meet as required in order to consider and advise on MVDC's response to any relevant aviation related consultations carried out by the Airports Commission in 2014 and 2015 in advance of their considerations by the Cabinet.
- ensure that the Council contributes towards the joint working of the other Gatwick Area Local Authority Partners and feeds back the views of those Authorities to the Council.
- keep the respective political Groups apprised of the work being undertaken by the Group and the progress made.
- report its notes and recommendations to the Cabinet.

HACKNEY CARRIAGE CONSULTATIVE GROUP

The Consultative Group will comprise of 3 District Councillors and 3 representatives of the hackney carriage trade. A District Councillor will chair the Consultative Group. The Group will meet at least once a year prior to the meeting of the Cabinet that determines the tariff and other meetings can be arranged as necessary.

PIPPBROOK WORKING GROUP

The Working Group will consist of 5 Members of the Council, will be politically balanced and will be chaired by the Cabinet Member for Strategy and Assets (who will be one of the 5 members) or his/her nominee.

The Working Group will:

- receive regular updates and information on the Pippbrook project, including details of the proposed Civic Offices refurbishment which are also to be provided concurrently to Cabinet Members.
- progress the approved options.
- advise the Cabinet accordingly.

PLANNING POLICY WORKING GROUP

The Planning Policy Working Group is a Group established by the Cabinet to provide advice to the Cabinet on the preparation and content of the Mole Valley Local Plan and other Planning Policy.

The Working Group will consist of 9 Members of the Council, will be politically balanced and will be chaired by the Cabinet Member for Planning Policy (who will be one of the 9 members) or his/her nominee.

Up to two substitute Members per Group will be appointed. Due to the complex nature of the remit of the Working Group, and the need to maintain an understanding of the ongoing work programme, substitute Members will receive the same training and development as Members of the Working Group and will be invited to attend all meetings of the Group.

All members of the Working Group will attend in-depth training and development in relation to Planning Policy.

During preparation of the Mole Valley Local Plan other Members of the Council may attend Working Group meetings and contribute to discussions. The Chairman of the Working Group or his/her nominee will have the right to introduce a limit on the length of discussion on each item should the number of Members attending or the nature of the debate compromise the business of the Working Group.

The Working Group will meet as required, on average 6 times per year. *During preparation of the Mole Valley Local Plan up to publication of the draft 'preferred options' Plan, the Working Group will meet more frequently, on average once per month.*

The Working Group will:

- at the first meeting of each Municipal Year, set the agenda for the coming year including a forward looking work programme into future years to reflect the priorities of the Council, subject to review as necessary during the year.
- oversee and drive forward the preparation of the Mole Valley Local Plan.
- monitor the preparation of the Plan in light of the Local Development Scheme and the Authority's Monitoring report, and report progress on a regular basis to the Cabinet.
- consider the feedback from stakeholders during the course of the preparation of the Local Plan and make recommendations to the Cabinet on the content of the Local Plan.
- oversee and drive forward other Planning Policy matters, at the request of the Cabinet.
- keep their respective political Groups apprised of the work being undertaken by the Group and the progress made.
- report its notes to the Cabinet.

SUSTAINABLE ECONOMY WORKING GROUP

The Sustainable Economy Working Group is a Group established by the Cabinet to develop the Mole Valley District Council's (MVDC) policy and approach to its Corporate Priority to "support businesses and the local economy...".

The Working Group will consist of 5 Members of the Council, will be politically balanced and will be chaired by the Cabinet Member for Prosperity (who will be one of the 5 members) or his/her nominee.

The Working Group will:

- recommend the approach MVDC should take to support and maintain the strength of the local economy and to enable appropriate growth. Develop a Sustainable Economy Strategy.
- acquire a better understanding of the work of external groups and work with them to support and promote the objectives of Mole Valley.
- have an overview of the activities of Town Centre Management and economic support across the district.
- respond to new legislation about business rates and identify how MVDC's income position can be protected and enhanced.
- act as advocates for MVDC in its engagement with business. Develop relationships with the business communities.
- identify opportunities to promote the work of the group and MVDC's support for business, considering reputation, impact and appropriate communications plans.
- be aware of links to other working groups and the interdependency of their evolving work, e.g. peer review, cycling, wellbeing.

THOMAS FLACK WORKING GROUP

To meet once per annum to consider the applications for funding from the Thomas Flack Fund and to advise the officers of the Working Group's views on each application, for onward submission to the Cabinet.

To meet on an annual basis to review the Thomas Flack Trust Fund investment properties prior to the grant application deadline.

The Working Group will consist of 5 Members from the former Leatherhead Urban District Council area, based on the political balances in existence in the 9 wards. The Working Group will be re-constituted annually.

WELLBEING WORKING GROUP

The Wellbeing Working Group is a Group established by the Cabinet to engage in developing the Council's response to the Wellbeing agenda working with key partners which ultimately will improve services and outcomes for residents.

The Working Group will:

- understand the Council's role in the wellbeing of our communities and engage in the corporate response to it.
- consider the objectives of our partners wellbeing activity and how best we can work together to deliver on common outcomes
- recommend the approach the Council should take in response to the wellbeing agenda and in particular to the Surrey Health and Wellbeing Board strategy
- oversee the outcomes of the Family Support Programme within the South East Surrey partnership and particularly outcomes in Mole Valley and beyond that to influence the widening programme in line with the Public Service Transformation work programme.
- maintain an overview of the Council's wellbeing activity and challenge progress of Council projects and business as usual activity in contributing towards wellbeing outcomes
- advocate for the Wellbeing agenda and work to influence the Council's ability to play a relevant role with partners.
- be aware of links to other working groups and the interdependency of their evolving work, e.g. Sustainable Economy.

MEMBER AND STAFF CONSULTATIVE FORUM

1. The Member and Staff Consultative Forum ('The Forum') meets as a stakeholder group to consider general matters relating to employment such as proposed policy changes and to resolve issues where there is disagreement between staff and management. (See 'Purpose of Forum' below). The meetings are generally established as part of the Council's annual calendar.
2. The Forum is made up of 8 Members reflecting the political representation of the Council and 8 Staff Representatives drawn from across the organisation. Members are approved at their annual meeting; Staff Representatives are elected in accordance with their terms of reference. Also in accordance with their terms of reference Staff Representatives generally have one place for a Unison Branch Secretary. (In the event of there being no MVDC Unison Branch Secretary, Staff Representatives will liaise with Unison to ensure that the connection is maintained as necessary and a place will be reserved on the Forum for such time that there is an MVDC Unison Branch Secretary).
3. If a Member ceases to be a Member of the Forum there will be a vacancy which will be filled at the next meeting of the Cabinet. If a Staff Representative ceases

- to be an employee or wishes to stand down, there will be a re-election in accordance with their terms of reference.
4. Staff Representatives will have 2 substitutes; Members will have the appropriate number of substitutes in accordance with the political balance of the Council.
 5. The Forum meets on average 3-4 times per year. As this is a consultative body a quorum is not necessary, however if less than 4 attendees are present for either side, the meeting may be cancelled by the Secretary in consultation with the Chair of Staff Representatives.
 6. If an urgent meeting is required this will be arranged in consultation with both sides by the Secretary to the Forum (Strategic Lead for HR & OD). A request for an urgent meeting will normally need to be made in writing by at least 3 members of either side. There will generally be required to be at least 5 working days' notice of any meeting.
 7. Papers for the meetings will typically be supplied at least 5 working days prior to the meeting. Minutes for the meetings will be taken by Democratic and Electoral Services and placed on the staff intranet and Members' intranet (Molly and MOSS).
 8. Officers of the Council may be invited to attend all or part of any meeting if appropriate, for example if required to provide technical, factual or professional information. This will be arranged by the Secretary to the Forum.
 9. The Chair of the Forum alternates between Members and Staff Representatives for a one year term commencing at the first meeting of the municipal year.
 10. The Terms of Reference may be amended, updated or refreshed to reflect legislative, constitutional or organisational practice changes (as necessary) by the Secretary to the Forum in discussion with the Forum.

Purpose of Forum

The Forum is a consultative body, meeting to consider general employment and health and safety matters. Specific examples are set out below, but all examples should be construed within this general principle.

For the avoidance of doubt, the Forum may not consider, resolve or request information in relation to any matters relating to an individual's employment, such as that individual's terms and conditions or status. All matters under consideration are those that are of general application only.

- The Forum is a stakeholder group to consider and input views on policy changes, in conjunction with consultation held directly with Staff Representatives and with all employees.
- The Forum assists with ensuring regular communication between management and all employees, maximising co-operation and understanding, reducing the need for conflict or differences and attempting to resolve any that arise.

- Where Staff Representatives, meeting regularly as Staff Side, are unable to resolve general employment issues upon which there is disagreement, The Forum performs an escalation function, providing advice, guidance and recommendations to the Chief Executive on how to resolve any issues in dispute.
- The Forum performs an escalation function with regards to health and safety practices or procedure (or the lack thereof) where there are matters of concern, including having sight of staff accidents and incidents. (The Mole Valley Risk Management Group is responsible for monitoring compliance with MVDC's Health and Safety Procedures. Staffside are the formal body to receive and consider all accidents and incidents at each 6 weekly meeting).
- The Forum may discharge other functions that may be referred or assigned to it by the Council, provided always that such issues referred are in keeping with the above.

TERMS OF REFERENCE OF JOINT COMMITTEES

COAST TO CAPITAL STRATEGIC JOINT COMMITTEE

To be added when agreed

JOINT WASTE COLLECTION SERVICES COMMITTEE

1. ESTABLISHMENT OF THE JOINT WASTE COLLECTION SERVICES COMMITTEE

- 1.1. The Joint Waste Collection Services Committee is established under sections 101(5) and 102 of the Local Government Act 1972 and Regulations 7 and 11 of the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 by the Executives or relevant Committees of Elmbridge Borough Council, Mole Valley District Council, Surrey Heath Borough Council and Woking Borough Council (each an **Authority** and together the **Authorities**).

2. OBJECTIVES OF THE JOINT WASTE COLLECTION SERVICES (JWCS) COMMITTEE

- 2.1. The JWCS Committee shall be established to facilitate the Authorities working together to improve the quality and effectiveness of the discharge of their waste, collection, management and disposal functions under the relevant provisions of the Environmental Protection Act 1990 as Waste Collection Authorities and Principal Litter Authorities and to manage the Joint Contract. This working together shall also include working in partnership with Surrey as the Waste Disposal Authority to maximise integration opportunities.

3. FUNCTIONS AND ACTIVITIES TO BE UNDERTAKEN BY THE JWCS COMMITTEE ON BEHALF OF THE AUTHORITIES

- 3.1. The JWCS Committee shall not make any decisions the effect of which would be to put any Authority in breach of any contract (including the Joint Contract).
- 3.2. The JWCS Committee, the Contract Partnering Board comprising of the Lead Officers reporting to the JWCS Committee and the Authorising Officer reporting to the Contract Partnering Board shall have such powers delegated as are set out in the Inter Authority Agreement and such further powers as may from time to time be delegated to the JWCS Committee by the Leaders or Executives or Committees of the constituent Authorities or by the constituent Authorities.
- 3.3. The following functions (the **Reserved Matters**) are matters reserved to each of the Authorities making such delegation and shall not be within the powers of the JWCS Committee:
- 3.3.1. all non-executive functions of any of the Authorities;
 - 3.3.2. approval to the Authority's proportion of and contribution to the Annual Budget, including any capital expenditure;
 - 3.3.3. authorisation of the use of borrowed money from the Public Works Loan Board (Prudential Borrowing) to fund capital expenditure under the Joint Contract;
 - 3.3.4. any decision which would result in expenditure beyond the Annual Budget;
 - 3.3.5. any decision in respect of which a scrutiny committee of any of the appointing Authorities has notified the secretary to the JWCS Committee in writing of the Authority's formal objection to the proposed decision in

- accordance with clause 9.1 of Schedule 1 (The Constitution of the Committee);
- 3.3.6. approval or amendment of any joint working agreement between the Authorities in respect of the Authorities' waste collection functions;
 - 3.3.7. major Services changes which have a financial impact beyond the Joint Contract;
 - 3.3.8. fees and charges, for example for garden waste bins collection or bulky waste collection or commercial waste collections where this is in discharge of the Authorities' duties under the Environmental Protection Act 1990 or otherwise;
 - 3.3.9. Joint Contract extension or termination;
 - 3.3.10. property disposals/acquisitions; and
 - 3.3.11. New Authorities proposing to join the Joint Contract and the Inter-Authority Agreement.

4. AIMS AND OBJECTIVES OF THE JOINT CONTRACT

- 4.1. The Authorities acknowledge that the Joint Contract has been entered into in furtherance of the aims and objectives set out in this paragraph 4.

Aims

- 4.2. The aims are:
- 4.2.1. Delivery of higher performing, better value waste services for Surrey tax payers by collaborative working and joint decisions;
 - 4.2.2. Arrangements structured in such a way as to ensure that the interests of each individual Authority (and the taxpayers that each represents) are protected;
 - 4.2.3. Standardisation of policies to encourage reducing, recycling, reusing waste;
 - 4.2.4. Honest communication and mutual partnership between Authorities;
 - 4.2.5. Scrutinising existing arrangements regularly to identify opportunities for service improvement and cost savings;
 - 4.2.6. Deliver the principles set out in the Surrey Waste Partnership strategy;
 - 4.2.7. Innovative approaches to improve waste management.

Objectives

- 4.3. The objectives align with the Surrey Waste Partnership Joint Municipal Waste Management Strategy Revision 2 (2015):

- 4.3.1. Ensure Surrey tax payers are getting a consistent and value for money waste service;
- 4.3.2. Amount of waste produced to continue to be reduced, recycled or reused;
- 4.3.3. To increase materials reused, recycled or composted;
- 4.3.4. To protect and enhance the environment for future generations;
- 4.3.5. To reduce waste sent to landfill;
- 4.3.6. Continual improvement of waste management;
- 4.3.7. Honest communication and mutual partnership between the Authorities.

5. MEMBERSHIP AND APPOINTMENT OF THE JWCS COMMITTEE

- 5.1. Each Authority shall nominate one of its elected members to be its representative on the JWCS Committee.
- 5.2. The JWCS Committee shall have a delegated power to permit additional membership of the JWCS Committee in a co-opted role without voting rights.
- 5.3. Each member of the JWCS Committee shall have one vote at meetings of the JWCS Committee.
- 5.4. Each member of the JWCS Committee shall be appointed for the term of office, or the balance of the term of office, of the Executive of the appointing Authority.
- 5.5. The appointment of elected members to the JWCS Committee to fill any vacancy for such elected member shall be made by the Executive or relevant committee of each Authority:
 - 5.5.1. as soon as practicable following the adoption of the constitution of the JWCS Committee by the Executive or relevant committee or full council of that Authority;
 - 5.5.2. as soon as practicable after the appointment of the Executive or relevant committee of that Authority in accordance with that Authority's constitution; and
 - 5.5.3. as soon as practicable after a vacancy arises in respect of a seat on the JWCS Committee to which the executive or relevant committee of that Authority has the power to make an appointment.
- 5.6. A member of the JWCS Committee shall cease to be a member of the JWCS Committee and a vacancy shall automatically arise, where:
 - 5.6.1. the member resigns from the JWCS Committee by giving notice in writing to the Secretary to the JWCS Committee;
 - 5.6.2. the member ceases to be, or is suspended under Part III of the Local Government Act 2000 from acting as, an elected member of the appointing

Authority or a member of the Executive or relevant committee of the appointing Authority;

- 5.6.3. the member of the JWCS Committee is removed from membership of the JWCS Committee by notification in writing from the Leader of the appointing Authority to the Secretary of the JWCS Committee.
- 5.7. All appointments to membership of the JWCS Committee shall be made by notification in writing from the Leader or the Chief Executive of the appointing Authority to the Secretary of the JWCS Committee.
- 5.8. Upon being made aware of any member ceasing to be a member of the JWCS Committee, the Secretary of the JWCS Committee shall write to that member confirming that he/she has ceased to be a member of the JWCS Committee and notifying the appointing Authority and the other members of the JWCS Committee accordingly.
- 5.9. Each Authority will appoint a substitute member of the JWCS Committee on the same terms as the Authority's appointed member of the JWCS Committee. The substitute member may attend any meeting of the JWCS Committee with all the powers of the Authority's appointed member in the event that an appointed member is unable to attend a particular meeting.

6. CHAIR AND VICE-CHAIR OF THE JWCS COMMITTEE

- 6.1. At the first meeting of the JWCS Committee after the annual meetings of each Authority in any year, the JWCS Committee shall elect a Chair of the JWCS Committee and a Vice Chair of the JWCS Committee for the following three years from among the members of the JWCS Committee, save that any co-opted members shall not be entitled to election as Chair or Vice-Chair of the JWCS Committee.
- 6.2. By convention, if the Chair of the JWCS Committee in any period is a member of one of the Authorities, the Chair of the JWCS Committee for the next period of 3 years would normally be a member of another of the Authorities.
- 6.3. The Chair and the Vice Chair of the JWCS Committee shall each hold office until:
- 6.3.1. a new Chair or Vice-Chair of the JWCS Committee is elected in accordance with clause 4.1 above,
- 6.3.2. he/she ceases to be a member of the JWCS Committee, or
- 6.3.3. he/she resigns from the office of Chair or Vice-Chair by notification in writing to the Secretary of the JWCS Committee.
- 6.4. Where a casual vacancy arises in the office of Chair or Vice Chair of the JWCS Committee, the JWCS Committee shall at its next meeting elect a Chair or Vice Chair, as the case may be, for the balance of the term of office of the previous Chair or Vice Chair.
- 6.5. Where, at any meeting or part of a meeting of the JWCS Committee, both the Chair and the Vice-Chair of the JWCS Committee are either absent or unable to act as Chair or Vice Chair, the JWCS Committee shall elect one of the members of the

JWCS Committee present at the meeting to preside for the balance of that meeting or part of the meeting, as appropriate.

7. SECRETARY TO THE JWCS COMMITTEE

- 7.1. The JWCS Committee shall be supported by the Chief Executive or nominated officer of the Administering Authority in his/her capacity as Secretary to the JWCS Committee.
- 7.2. The functions of the Secretary of the JWCS Committee shall be:
- 7.2.1. to maintain an online record of membership of the JWCS Committee;
 - 7.2.2. to notify the chief executive and Lead Officer of each appointing Authority of any anticipated decisions to be taken by the JWCS Committee over the year (whether or not key decisions) and updated on a monthly basis, to enable such decisions to be included in the forward plans of each appointing Authority as required by the Local Authorities (Executive Arrangements)(Meetings and Access to Information) (England) Regulations 2012 and in accordance with their respective constitutions;
 - 7.2.3. to carry out such notification to and consultation with members of the appointing Authorities as may be necessary to enable the JWCS Committee to take urgent decisions which have not been included in the Forward Plans of the Authorities;
 - 7.2.4. to notify the chief executives of the Authorities of the dates, times and venues of meetings and to publish the dates times and venues;
 - 7.2.5. to summon meetings of the JWCS Committee in accordance with clause 8 below;
 - 7.2.6. to prepare and send out the agenda for meetings of the JWCS Committee in consultation with the Chair and the Vice Chair of the JWCS Committee and the Lead Officers;
 - 7.2.7. to keep a record of the proceedings of the JWCS Committee;
 - 7.2.8. to take such administrative action as may be necessary to give effect to decisions of the JWCS Committee;
 - 7.2.9. to undertake such other functions as may be determined by the JWCS Committee.

8. CONVENING OF MEETINGS OF THE COMMITTEE

- 8.1. Meetings of the JWCS Committee shall be held at such times, dates and places as may be notified to the members by the Secretary to the JWCS Committee, being such time, place and location as:
- 8.1.1. the JWCS Committee shall from time to time resolve;

- 8.1.2. the Chair of the JWCS Committee, or if he/she is unable to act, the Vice-Chair of the JWCS Committee, shall notify to the Secretary of the JWCS Committee; or
- 8.1.3. the Secretary to the JWCS Committee, in consultation where practicable with the Chair and Vice Chair of the JWCS Committee, shall determine in response to receipt of a request in writing addressed to the Secretary of the JWCS Committee:
- from and signed by two members of the JWCS Committee, or
 - from the chief executive of an Authority, or
 - from the Leader of an Authority,
- which request sets out an item of business within the functions of the JWCS Committee that needs to be considered prior to the next scheduled meeting of the JWCS Committee.
- 8.2. The Secretary to the JWCS Committee shall formulate the agenda for any meeting of the JWCS Committee after consulting, where practicable:
- 8.2.1. the Lead Officers;
- 8.2.2. the Chair and the Vice-Chair of the JWCS Committee;
- 8.2.3. and shall incorporate in the agenda any items of business and any reports submitted by
- any two members of the JWCS Committee in accordance with clause 8.1.3 above
 - the Leader of any of the Authorities
 - the chief executive of any of the Authorities (or their nominated officers)
 - Lead Officers
 - the chief finance officer/section 151 officer to any of the Authorities
 - the monitoring officer to any of the Authorities
 - such other officers as the JWCS Committee may determine for this purpose.

9. PROCEDURE AT MEETINGS OF THE JWCS COMMITTEE

- 9.1. The JWCS Committee shall conduct its business in accordance with the executive decision-making procedure rules of the Administering Authority, and as set out below.
- 9.2. The quorum for a meeting of the JWCS Committee shall be four members. If an Authority fails to attend two consecutive meetings that are properly notified, the next meeting shall be considered quorate for the purposes of majority voting even if that Authority fails to attend.
- 9.3. The Chair of the JWCS Committee, or in his/her absence the Vice Chair of the JWCS Committee, or in his/her absence the member of the JWCS Committee elected for this purpose, shall preside at meetings of the JWCS Committee.
- 9.4. Whilst the JWCS Committee shall seek, wherever possible, to work on a principle of consensus, decisions of the JWCS Committee shall, subject to clause 9.5 below, be determined by a majority of the members of the JWCS Committee present and voting

except where a decision would be Detrimental to any Authority or put an Authority to cost in which case the decision shall be determined by a unanimous vote. In the event of an equality of votes in a simple majority vote, the person presiding shall have a second or casting vote.

- 9.5. Where the JWCS Committee is unable to support any motion on a matter, or any voting member of the JWCS Committee is unable to support any motion on a matter, the decision will be held in abeyance until the next meeting of the JWCS Committee where a decision shall be taken in relation to that matter. In such circumstances, the Secretary to the JWCS Committee will notify the matter to the leaders of the Authorities.
- 9.6. Any decision of the JWCS Committee is subject to the scrutiny arrangements as set out in clause 11 below.
- 9.7. If there is a conflict between the governance arrangements contained in this Constitution and the executive decision-making procedure rules of the Administering Authority, the governance arrangements contained in this Constitution shall have precedence.

10. ATTENDANCE AT MEETINGS OF THE JWCS COMMITTEE

- 10.1. Notwithstanding that, in accordance with the provisions of the Local Government Act 1972, a meeting or part of a meeting of the JWCS Committee may not be open to the press and public, the members and officers specified in clause 10.2 below of each Authority shall be entitled, in person or by another officer nominated by that officer, to attend any or all parts, of such meetings, unless the particular member or officer has a conflict of interest, which under any applicable code of conduct, prohibits attendance at the meeting whilst the matter is under consideration.
- 10.2. The following are the elected members and officers who shall have a right of attendance in accordance with clause 8.1 above:
 - 10.2.1. all elected members of the constituent Authorities
 - 10.2.2. the chief executive of any of the constituent Authorities or nominated officers
 - 10.2.3. the Lead Officers of the constituent Authorities
 - 10.2.4. the chief finance officer/section 151 officer to any of the constituent Authorities
 - 10.2.5. the monitoring officer to any of the constituent Authorities
 - 10.2.6. any person appointed by the JWCS Committee to manage particular projects
 - 10.2.7. any other officer of the Authorities at the request of any member of the JWCS Committee.

11. CALL-IN BY SCRUTINY COMMITTEES

- 11.1. The delegation of powers from each Authority to the JWCS Committee is subject to the limitation that all decisions taken by the JWCS Committee in accordance with delegations from each Authority shall only take effect five clear Working Days after publication of the decisions following a relevant meeting of the JWCS Committee and shall be ineffective if a relevant Scrutiny Committee of one or more of the Authorities has given notice in writing of call-in to the Chief Executives of the other Authorities and to the Secretary to the JWCS Committee within such period of five clear Working Days.
- 11.2. The Authority seeking call-in needs to identify which part or parts of the decision are called-in and to give the reasons for call-in and shall have support of the relevant number of its members as set out in the constitution of that Authority.
- 11.3. If a decision of the JWCS Committee is called-in, it shall not be implemented save where the decision on the call-in is to support or take no further action, in which case the decision shall take effect at the conclusion of that call-in meeting, or where the meeting of the Authority's overview and scrutiny committee does not take place within ten clear Working Days of the valid submission of a notice triggering a call-in under clause 11.2 above, the decision shall take effect on the date of the expiry of the ten Working Day period.
- 11.4. Such matters shall within a further ten clear Working Days be referred and considered by a meeting of the relevant scrutiny committee(s). The relevant scrutiny committee(s) may make such recommendations to the next meeting of the JWCS Committee on the matter as they think fit.
- 11.5. Where an Authority or Authorities have made such objection in respect of a matter, the JWCS Committee shall then reconsider the matter within a further ten clear Working Days and come to a decision. That second decision shall take effect immediately and no Authority then can call-in that second decision.

12. STANDING ORDERS FOR CONTRACTS, FINANCIAL REGULATIONS AND OFFICER EMPLOYMENT PROCEDURE RULES

- 12.1. The JWCS Committee shall operate under the standing orders for executive decision making of the Administering Authority.

13. DEFINITIONS

- 13.1. In this part of the Constitution, the following words and phrases shall have the meanings set out below:

Administering Authority: the authority designated as such under the Inter Authority Agreement;

Annual Budget: the annual budget that is approved by the Councils of each of the Authorities pursuant to the Inter Authority Agreement;

Authorised Officer: the person (and any deputy) nominated to act in that capacity under the Joint Contract;

Contract Partnering Board: Lead Officers from each Authority;

Detrimental: the concept of detrimental shall be interpreted by its normal English meaning except that:

- a matter (or series of matters in any one financial year) that would put an Authority to cost or expense shall be considered detrimental unless it is less than [£25,000] per year in relation to revenue expenditure or £100,000 in relation to capital expenditure;
- a matter which is contrary to the written policy of an Authority shall be considered detrimental unless that Authority agrees otherwise;
- a matter which is solely administrative and non-customer facing shall not be considered detrimental unless one of the other limbs above apply;
- a matter which may result in shifting of rounds or organisational changes but is not a reduction in service that would be noticed by customers shall not be considered detrimental unless one of the other limbs above apply;

Joint Contract: the Joint Contract for Waste Collection and Street Cleaning Services dated [] with [] entered into jointly by the Authorities;

Lead Officer: the relevant director or head of service responsible for waste, recycling and street cleaning in each Authority;

Services: the services provided to the Authorities under the Joint Contract.

(ii) Scheme of Delegation to Officers

SCHEME OF DELEGATION TO OFFICERS

1. The Chief Executive, in consultation with the Cabinet Member for Finance and Corporate Services Leader and Group Leaders, may make minor changes to the Constitution which would not alter the meaning/intention of any element of the Constitution.
2. The Chief Executive shall have power to amend the Scheme of Delegation to reflect reorganisations, changes in Job Titles and vacancies where the changes result in the redistribution of existing delegations and not the creation of new delegations.
3. Matters relating to the interpretation of the Scheme of Delegation shall be determined by the Executive Head with responsibility for Democratic and Electoral Services or the Legal Services Manager or Monitoring Officer.
4. Subject to the Proper Officer Appointments, the Chief Executive and Deputy Chief Executive may exercise the duties, powers and functions delegated to any officer.
5. Subject to the Proper Officer Appointments, in the absence of the Chief Executive and Deputy Chief Executive their powers may be exercised by the appropriate Executive Head of Service in consultation with the Executive Head of Service with responsibility for Democratic and Electoral Services, the Legal Services Manager or Monitoring Officer or Deputy Section 151 Officer as appropriate.
6. Any officer to whom a power, duty or function is delegated may authorise named officers to exercise that power, duty or function in addition to him/herself. The authorisation must be in writing as it may be necessary to any legal procedure or proceedings on behalf of the Council.
7. This scheme of delegation includes, for completeness, all powers delegated to Officers by the Leader and Council. It must be noted that regulatory powers, human resources and those functions relating to the Electoral Registration Officer and Returning Officer do not fall within the remit of the Leader.
8. All decisions and actions in pursuance of a delegation in the Scheme of Delegation must be taken (with the exception of 9 below) in accordance with statutory requirements, the Council's Constitution, policies and procedures, within budget and in compliance with the Contract Procedure Rules and Financial Procedure Rules and after consultation with the appropriate Cabinet Member or Committee Chairman or Ward Member, where appropriate.
9. Officers have delegated authority to act in accordance with legislation as it is introduced and affects their area of responsibility without further authorisation.
10. Officers to whom a matter is delegated may refer that matter to the Council, the Cabinet or a Committee (as appropriate) rather than exercise the delegation.

11. The Chief Executive and/or Deputy Chief Executive will have power (within the overall financial constraints of the Council's balances and the reservation of powers to the Council) to deal with any urgent matter arising in between ordinary meetings of the Council, the Cabinet or Committees, in consultation with the Leader, or the appropriate Cabinet Member or Committee Chairman.
12. Any decision by an Officer in respect of third party engagement that may directly or indirectly commit the Council may only be exercised after the views of Local Ward Members have been sought.
13. All figures included in the Scheme of Delegation shall be inflated annually in line with the UK Retail Price Index. Figures are as at February 2008.
14. The holders of the following posts shall, in the interests of ensuring the appropriate knowledge, experience and skills, be appointed as a director of any company set up in accordance with the provisions of the Asset Investment Strategy:
 - The Chief Executive;
 - The Deputy Chief Executive (section 151 officer); and
 - At least one other Executive Head of Service.
15. The Proper Officer appointments are set out in Annex 1.
16. Where any provision of the Council's Contract Procedure Rules (Contract Standing Orders) enables or requires any person or decision-making body to determine, be satisfied as to, or approve any matter or thing or to award any Contract:
 - (a) that provision shall constitute a delegation to that person or decision-making body pursuant to section 101 of the Local Government Act 1972; and
 - (b) a written record will be made of the decision-making process leading to the conclusion reached in the particular case.
17. These delegations should be interpreted widely to aid the smooth running and administration of the Council, the effective deployment of resources, the efficient delivery of services and achievement of the Council's Corporate Strategy.
18. An officer to whom delegated powers have been granted under this Scheme of Delegation may make such arrangements with his/her department or team for the exercise of the delegated powers as he/she considers appropriate, save that the responsibility for such exercise remains with the officer to whom the delegation was made, unless the power is delegated in writing by that officer under paragraph 6 above.

19. For the avoidance of any doubt, all officers, whether managed by the Chief Executive, the Finance Director and Deputy Chief Executive or by an Executive Head of Service, shall be authorised to undertake the tasks, functions and duties for which they have been employed to undertake and perform (as set out in their job description or as directed by their manager or by one of the officers mentioned above). Generally, only decisions relating to matters which are not of a routine nature, are not part of the day to day management or work of a team or department, or involve complex or sensitive matters that are potentially controversial to the public, will be taken by the appropriate nominated officer under the Scheme of Delegation, unless specifically delegated in writing by that officer under paragraph 6 above.

DELEGATED FUNCTIONS

All decisions relating to establishing Council Policy shall be determined by the Council, the Leader/Cabinet or the appropriate Committee unless the Council, the Leader/Cabinet or a Committee specifically delegates that power to an Officer.

Subject to the above the Officers are delegated to undertake the following responsibilities:

FUNCTION	DELEGATED TO
Benefits	
<p>To take all actions and make all decisions not reserved to the Council or the Cabinet relating to the administration of Council Tax Benefits, Housing Benefits, Discretionary Housing Payments and other Benefits including making determinations in respect of claims, recovery of overpayments. The investigations and prosecution of fraud. Preparation for and implementation of Welfare Reforms</p> <p>Write off of benefit debt in excess of £10,000</p>	<p>Executive Head with responsibility for Benefits</p> <p>Executive Head with responsibility for Benefits in consultation with Financial Services Manager and Cabinet Member</p>
Car Parking	
<p>To take all actions and make all decisions not reserved to the Council or the Cabinet in respect of Council car parks and on-street parking, including all powers under the Crime and Policing Act 2014 in respect of anti-social behaviour;</p> <ul style="list-style-type: none"> • management of the Council's car parking strategy, including Local Traffic Orders • financial management and control • enforcement of Local Traffic Orders and those prescribed by Surrey County Council. • consideration of representations in relation to Local Traffic Orders 	<p>Executive Head with responsibility for Car Parks and Parking</p> <p>Executive Head with responsibility for Car Parks and Parking</p> <p>Executive Head with responsibility for Car Parks and Parking</p> <p>Executive Head with responsibility for Car Parks and Parking</p> <p>Executive Head with responsibility for Car Parks and Parking</p>

Communications	
To take all actions and make all decisions not reserved to the Council or the Cabinet relating to the Council's functions in respect of Communications and Corporate Consultation.	Executive Head with responsibility for Communications
Customer Services	
To take all actions and make all decisions not reserved to the Council or the Cabinet relating to the Council's functions in respect of Customer Services, Corporate Customer Care and Complaints and information rights legislation (this includes, amongst other things, Freedom of Information, Environmental Information Regulations and the Data Protection Act 2018) and the relevant provisions within.	Executive Head with responsibility for Customer Services
Community Support Services	
To take all actions and make all decisions not reserved to the Council or the Cabinet relating to the Council's functions in respect of Community Support Services (including Community Telecare, Dial-a-Ride, Community Transport and Centres for Older People).	Executive Head with responsibility for Community Services
Democratic and Electoral Services	
To undertake the role of Electoral Registration Officer, Local Returning Officer for European Elections, Acting Returning Officer for Parliamentary Elections, Returning Officer for District and Parish Elections and Counting Officer for Referenda, including to take all decisions not reserved to the Council relating to the publication of the Register of Electors, the organisation or holding of elections or referenda or any electoral matter	The Electoral Registration Officer or Deputy Electoral Registration Officer
To take all actions and make all decisions not reserved to the Council relating to <ul style="list-style-type: none"> - the Scrutiny function - Committees - Member Services - constituting the Licensing Sub-Committees - constituting the Complaints Sub Committee in relation to the Standards Committee 	Executive Head with responsibility for Democratic and Electoral Services

<p>- The Council's print and post function</p> <p>- Emergency and contingency planning</p> <p>EXCEPT</p> <p>Approval of Council Meeting schedule</p>	
<p>Dorking Halls</p>	
<p>To take all actions and make all decisions relating to the management and operation of the Dorking Halls.</p>	<p>Executive Head with responsibility for Dorking Halls</p>
<p>Environmental Health</p>	
<p>To take all actions and make all decisions relating to the Council's environmental health and licensing functions as follows:</p> <ul style="list-style-type: none"> • Animals/animal establishments • Caravan sites • Cinemas • Contaminated land • Control of pollution • Disabled facilities grants • Environmental protection • Food safety and hygiene • Gambling • Game/game dealers • Hackney carriages and drivers • Handyman • Health and Safety • House to house collections • Housing Standards • Infectious disease • Licensing • Lotteries • Motor salvage operators • Pest control • Private hire vehicles, drivers and operators • Public health • Public safety • Scrap metal dealers • Street collections • Street trading • Sunday trading • All powers under the Anti-Social Behaviour, Crime and Policing Act 2014 in respect of anti- 	<p>SLT Lead with responsibility for Environmental Health</p>

<p>social behaviour</p> <p>EXCEPT</p> <p>i) Amendments to the Hackney Carriage fare tariff ii) Establishment of a hackney carriage rank iii) Those responsibilities set out under statutory guidance as set out in Annex 1 in respect of the Licensing Act 2003.</p>	
<p>Environmental Services</p>	
<p>To take all actions and make all decisions not reserved to the Council and the Cabinet in respect of waste management and recycling; sustainability, streets and highways; abandoned or unauthorised vehicles; fly tipping; graffiti and litter, including all powers under the Anti-Social Behaviour, Crime and Policing Act 2014 in respect of anti-social behaviour</p> <p>EXCEPT:</p> <ul style="list-style-type: none"> • Street naming • Drainage 	<p>Executive Head with responsibility for Environmental Services</p> <p>Executive Head with responsibility for Planning</p> <p>Executive Head with responsibility for Property</p>
<p>Finance</p>	
<p>To take all actions and make all decisions not reserved to the Council or the Cabinet relating to the implementation of the Council’s Medium Term Financial Strategy including borrowing, investment, making of payments, insurances, mortgages, accounting procedures and Internal Audit.</p> <p>To release funds for a capital scheme (already approved by the Council as part of the Capital Programme)</p> <p>To take all actions and make all decisions not reserved to the Council or the Cabinet relating to the implementation of the Asset investment Strategy, including the release of funds.</p> <p>To be responsible for compliance with the provisions of the Companies Act 2006.</p>	<p>Deputy Chief Executive (Section 151 Officer)</p> <p>Deputy Chief Executive (Section 151 Officer) in consultation with appropriate Executive Head</p> <p>Deputy Chief Executive in consultation with the Asset Investment Working Group</p> <p>Deputy Chief Executive (section 151 officer) in</p>

	consultation with the Executive Head with responsibility for Prosperity
To approve carry forwards	Deputy Chief Executive (Section 151 Officer) in consultation with appropriate Cabinet Member
Housing	
To take all actions and make all decisions relating to the Council's housing functions as follows: <ul style="list-style-type: none"> • Affordable housing • Allocation of affordable housing budget in consultation with the appropriate Cabinet Member • Empty property • Homelessness • Housing management (to cover management of temporary accommodation and related action e.g. NTQ) • Housing strategy • Housing needs • Family Support Programme 	Executive Head with responsibility for Housing
Human Resources	
To take all actions and decisions relating to staff and to the deployment and organisation of staff, including HR policy changes, subject to the powers reserved to Council by legislation (or delegated by Council to the Appointments Committee), budgetary provision and financial regulations, including the appointment of Executive Heads of Service in consultation with the Strategic Lead for HR & OD, Leader of the Council and Group Leaders, subject to no well founded objection being made by any member of the Cabinet.	Chief Executive/Head of the Paid Service
Information Technology	
To take all actions and make all decisions not reserved to the Council or the Cabinet relating to the implementation of the Council's IT functions and telephony systems	Executive Head with responsibility for Information Technology

Legal Services	
To instruct Counsel and external solicitors	Legal Services Manager
To take all actions and make all decisions not reserved to the Council or Cabinet in respect of the legal functions of the Council: Attestation of the affixing of the Common Seal	Executive Head with responsibility for Legal Services Chief Executive, Deputy Chief Executive, the Executive Head with responsibility for Legal Services, the Legal Services Manager or Senior Solicitor or some other person authorised by the above
Instituting or defending proceedings	Chief Executive, Deputy Chief Executive, the Executive Head with responsibility for Legal Services, the Legal Services Manager or Senior Solicitor or some other person authorised by the above
Parks and Landscapes	
To take all actions and make all decisions not reserved to the Council or the Cabinet relating to the following Council functions: Maintenance and management of parks, open spaces, commons, burial grounds and allotments.	Executive Head with responsibility for Parks and Landscapes
Partnerships	
To take all actions and make all decisions not reserved to the Council or the Cabinet relating to the following Council functions: <ul style="list-style-type: none"> • Management of the contracts for the Council's outsourced sports and leisure facilities • Young people, Sports Development and Arts Development 	Executive Head with responsibility for Partnerships

<ul style="list-style-type: none"> Partnerships, Community Safety, Anti-Social Behaviour, including all powers under the Crime and Policing Act 2014, and Wellbeing functions <p>EXCEPT</p> <p>The approval of grants in excess of £1,000.</p>	
<p>Performance and Policy</p>	
<p><u>Corporate Plan</u> – Review and implementation of the Corporate Plan</p> <p><u>Performance Management</u> – Implementation and management of the Council’s Performance Management system.</p> <p>EXCEPT</p> <ul style="list-style-type: none"> Approval of the Corporate Strategy/Plan and targets contained within. <p><u>Equalities Strategy</u> – Monitoring and Development of the Council’s Equalities Strategy.</p> <p><u>Risk Management</u> – Implementation and corporate management of the Council’s Risk Management Policy</p> <p><u>Health and Safety</u> – Development and implementation of the Council’s Health and Safety Policy, procedures and arrangements</p>	<p>Executive Head with responsibility for Performance and Policy</p>
<p>Planning</p>	
<p><u>Development Management Functions</u></p> <p>Subject to the reference to the Development Control Committee of any matter at the discretion of the Executive Head with responsibility for Development Management, or following a written request, from a Member (received within 28 days of the publication of the application on the weekly planning list, stating the reason for the referral) (N.B. requests regarding tree pruning and certificate of lawfulness applications and prior approvals are not referred to committee), to take all actions and make all decisions relating to the following Council functions:</p>	<p>Executive Head with responsibility for Development Management</p>

<p>1. All householder and tree planning applications.</p> <p>2. All other applications for planning permission, advertisement consent, Listed Building and Conservation Area consent and prior approvals, except for the following categories which will be determined by the Development Control Committee.</p> <p>a) Permissions for all residential development applications involving more than four dwellings.</p> <p>b) Permissions where more than two objections have been received or there is an objection relating to their area from a Parish Council or Residents' Association, where the objections in all cases raise material planning considerations.</p> <p>c) Permissions for development which depart significantly from the Local Plan.</p> <p>d) Permissions for non-residential development involving more than 1,000 square metres of additional floorspace except for agricultural buildings.</p> <p>e) Permissions for changes of use outside the built up areas involving more than 1,000 square metres of floorspace.</p> <p>f) Permissions for changes of use involving existing shops where objections have been received.</p> <p>g) District Council applications except for householder type or other similar minor proposals, where no objections raising material planning consideration have been submitted.</p> <p>h) Applications submitted by District Councillors or Officers within the Planning Department.</p> <p>i) Applications submitted by other Officers of the Council, if any objections raising material planning considerations have been received.</p> <p>j) Observations on:</p> <ul style="list-style-type: none"> • Minerals and waste applications determined by the Surrey County Council other than approval of details and other minor developments • Proposals referred by Surrey County Council, adjoining Planning Authorities, Government Departments and statutory undertakers in those cases where such proposals are likely to affect 	
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<p>this District significantly.</p> <p>3. Varying the wording of a decision (without changing its meaning) subsequent to an application having been considered by the Development Control Committee but before the decision is issued, including varying the wording of a planning condition and/or informative (without changing its purpose), adding a policy reference to a reason for refusal and adding an informative to a permission, and varying the wording of a Section 106 Agreement.</p> <p><u>Other Functions</u></p> <p>To exercise the Council’s functions in relation to town centre management, tourism and economic development; planning policy matters; land charges and all planning (including enforcement) and building control matters not reserved to the Cabinet or within the remit of another Committee or set out under Development Management, above.</p> <p><u>Community Infrastructure Levy</u></p> <p>To exercise the Council’s functions in relation to the administration of the Community Infrastructure Levy including calculating chargeable amounts, determining liability, charging, determining exemptions and reliefs, determining payment-in-kind including any associated agreements, collection, enforcement and any associated powers and duties.</p> <p>To exercise the Council’s functions in relation to appeals relating to the Community Infrastructure Levy</p> <p>To allocate the neighbourhood element of the Community Infrastructure Levy raised in unparished neighbourhoods up to £10,000 per project</p>	<p>Executive Head with responsibility for Development Management</p> <p>Executive Heads with responsibility for Planning Policy, Economic Development, Building Control and Enforcement</p> <p>Executive Head of Service with responsibility for Planning Policy, Development Management and Planning Enforcement</p> <p>Executive Heads of Service with responsibility for Planning Policy, Development Management, Planning Enforcement and Legal Services</p> <p>Executive Head of Service with responsibility for Planning Policy, Development Management and Planning Enforcement in consultation with the Cabinet Member for Planning Policy and relevant Ward Members.</p>
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<p>To take all actions and make all decisions not reserved to the Council or the Cabinet relating to security, operation, and use of other operational buildings and car parks</p>	<p>Appropriate Executive Head</p>
<p>Former Right to Buy Properties:</p> <p>To take all actions and make all decisions relating to the granting of deeds of covenant by incoming purchasers of former Right to Buy (RTB) properties confirming that they will abide by the terms of the relevant provisions of the transfer</p> <p>To take all actions and make all decisions not reserved to the Council or the Cabinet where the Council's consent to any future disposal is required for properties that are subject to a covenant under s157 HA 1985:</p> <p>(1) where satisfactory evidence that the purchaser (or if more than one any one of them) has lived or worked in Surrey or the Mole Valley area (as appropriate) for a period of three years immediately preceding the date of the application for consent</p>	<p>Legal Services Manager, Senior Solicitor and Solicitors</p> <p>Executive Head with responsibility for Housing</p> <p>Legal Services Manager, Senior Solicitor and Solicitors</p>
<p>(2) where satisfactory evidence that the purchaser (or if more than one any one of them) has not lived or worked in Surrey or the Mole Valley area (as appropriate) for a period of three years immediately preceding the date of the application for consent</p> <p>To take all actions and make all decisions not reserved to the Council or the Cabinet relating to applications for consent regarding breaches of restrictive covenants in transfers of former RTB properties.</p> <p>Other Properties: To take all actions and make all decisions not reserved to the Council or the Cabinet relating to applications for consent to relax or waive old restrictive covenants where the Council's consent is still required</p>	<p>Executive Head with responsibility for Housing</p> <p>Executive Head with responsibility for Housing</p> <p>Executive Head with responsibility for Housing</p>
<p>Revenues and Exchequer Services</p>	
<p>To take all actions and make all decisions not reserved to the Council or the Cabinet relating to:</p> <ul style="list-style-type: none"> • The demand, collection, administration and recovery of Council Tax, Business Rates, Mortgages and any other locally levied taxes • the making of payments and accounting 	<p>Executive Head with responsibility for Revenues and Exchequer Services</p>

<p>procedures</p> <ul style="list-style-type: none"> • applications for discretionary relief where the cost to Mole Valley is not over £1,000 • valuation, valuation and banding list alterations, and connected matters. • court proceedings for the recovery of Council Tax and Business Rates <p>Except</p> <p>Applications for discretionary relief where the cost to Mole Valley is over £1,000</p> <p>To authorise the write off of debt (excluding housing debt) in excess of £10,000.</p> <p>To adopt such Business Rate and Council Tax discounts as Local Authorities are expected to implement, provided that there is an undertaking to reimburse expenditure by way of section 31 grant</p>	<p>Executive Head with responsibility for Revenues and Exchequer Services in consultation with Cabinet Member</p> <p>Executive Head with responsibility for Revenues and Exchequer Services in consultation with Financial Services Manager and Cabinet Member</p> <p>Section 151 Officer in consultation with Cabinet Member for Finance, Performance and Risk</p>
Miscellaneous	
Authorisation of individuals to exercise powers of entry and inspection.	Appropriate member of SLT
Grant, renewal, review and cancellation of authorisations under the Regulation of Investigatory Powers Act.	Legal Services Manager or Executive Head with responsibility for Benefits
Any function under the Freedom of Information Act 2000	Appropriate Executive Head
All relevant decisions and actions whatsoever relating to the Council (as Data Controller) pursuant to the General Data Protection Regulation and Data Protection Act 2018 (as amended, including any subsequent or replacement legislation) including but not limited to all appropriate decisions relating to the data protection principles and data subject rights.	<p>(i) Data projection Officer (to expressly including but not be limited to the relevant DPO specific functions set out in the legislation)</p> <p>(ii) Appropriate Executive Heads of Service</p> <p>(iii) Appropriate Information</p>

	Asset Owners
Authority to appear on behalf of the Council in any court or tribunal	Legal Services Manager or appropriate member of SLT
Seeking of planning permission for development involving the Council as landowner or developer.	Appropriate member of SLT
To determine Asset of Community Value nominations in accordance with the Council's Assets of Community Value Policy Statement	Executive Head with responsibility for Planning
To undertake a review of a decision to list land as an Asset of Community Value in accordance with the Council's Assets of Community Value Policy Statement	Deputy Chief Executive
The procurement of hardware or software	ICT Manager or his or her named delegates
The right off of individuals' debts up to £10,000	Appropriate Executive Head

ANNEX 1**Schedule of Proper Officers and Substitutes**

That the holders for the time being of the posts specified in Column One of the following table be appointed the Proper Officer in relation to the statutory provisions shown in Column Two:-

Column One	Column Two
Chief Executive	Any reference in any enactment or in any instrument made before the coming into effect of the Local Government Act 1972 to the Clerk of a Council or the Town Clerk of a Borough which, by virtue of any of the provisions of the said Act, is to be construed as a reference to the Proper Officer of the Council. Any reference in any local statutory provision to the Clerk of a specified Council or the Town Clerk of a specified Borough which, by virtue of any order made under Section 254 of the Local Government Act 1972 is to be construed as a reference to the Proper Officer of the Council.
Section 151 Officer or Deputy	Any such reference to the Treasurer or the Financial Officer
Executive Head of Service with responsibility for Property	Any such reference to the Surveyor or Engineer
Executive Head of Service with responsibility for Planning	Any such reference to the Chief Planning Officer
Executive Head with responsibility for Environmental Health	Any such reference to the Public Health Inspector
Executive Head of Service with responsibility for Housing	Any such reference to the Housing Officer or the Housing Manager
Executive Head of Service with responsibility for Partnerships	Any such reference to the Leatherhead Leisure Centre, Dorking Sports Centre and to entertainments and recreation publicity generally
Corporate Head with responsibility for Dorking Halls	Any such reference to Dorking Halls

Executive Head of Service with responsibility for Environmental Services	Any such reference to the Parks Superintendent or the Parks Manager
Chief Executive	Local Government Act 1972 Section 13(3) (Parish Trustees)
Executive Head of Service with responsibility for Democratic and Electoral Services	Local Government Act 1972 – Section 83 – (Declaration of Acceptance of Office)
Chief Executive	Local Government Act 1972 Section 84 (Receipt of Notice of Resignation of Office)
Executive Head of Service with responsibility for Democratic and Electoral Services	Local Government Act 1972 Section 88(2) (Convening of Meeting of the Council to fill casual vacancy in the Office of Chairman)
Chief Executive	Local Government Act 1972 Section 89 (Receipt of Notice of Casual Vacancy)
Executive Head of Service with responsibility for Democratic and Electoral Services	Local Government Act 1972 - Section 100B – To take decisions as to “exempt” information coming before Committees.
Executive Head of Service with responsibility for Democratic and Electoral Services	Local Government Act 1972 – Section 100C -To produce a written summary of proceedings taken by Committees in private.
Executive Head of Service with responsibility for Democratic and Electoral Services	Local Government Act 1972 – Section 100D - To compile a list of background papers for a Committee report.
Chief Executive	Local Government Act 1972 – Section 100F (Rights of access to documents) - To take decisions as to whether Councillors may have access to documents.
Executive Head of Service with responsibility for Finance	Local Government Act 1972 Section 115(2) (Receipt of money due from officers)
Section 151 Officer	Local Government Act 1972 Section 146 (Declarations and Certificates with regard to Securities)

Executive Head of Service with responsibility for Democratic and Electoral Services	Local Government Act 1972 Section 191 (Functions with respect to Ordnance Survey)
Chief Executive	Local Government Act 1972 Section 210 (Charity Functions vesting in Proper Officers)
Chief Executive	Local Government Act 1972 Section 225 (Deposit of Documents)
Executive Head of Service with responsibility for Democratic and Electoral Services or Legal Services Manager	Local Government Act 1972 Section 229 (Certification of photocopies of Documents)
Legal Services Manager, all Council solicitors and Democratic and Electoral Services Officers	Local Government Act 1972 Section 234 (Authentication of Documents)
Legal Services Manager	Local Government Act 1972 Section 236 (Service of Byelaws)
Legal Services Manager	Local Government Act 1972 Section 238 (Certification of Byelaws)
Executive Head of Service with responsibility for Democratic and Electoral Services	Local Government Act 1972 Section 248 (Roll of Freemen)
Chief Executive or Executive Head of Service with responsibility for Democratic and Electoral Services	Local Government Act 1972 Schedule 12 (Meetings of Local Authorities)
SLT Lead for HR	Local Government and Housing Act 1989 – Section 2 – (Politically restricted posts)

Executive Head of Service with responsibility for Democratic and Electoral Services	Local Government and Housing Act 1989 – Sections 15 & 16 & Schedule 1 (All matters relating to the formal establishment of political groups)
Executive Head of Service with responsibility for Democratic and Electoral Services	Public notice of verification number
Returning Officer/Electoral Registration Officer	Any reference to Proper Officer in legislation relating to elections
Executive Head of Service with responsibility for Benefits	National Assistance Acts 1948 & 1951
Consultants in Communicable Disease Control of Surrey and Sussex Health Protection Unit	National Assistance Acts 1948 & 1951 and Public Health (Control of Disease) Act 1984 and Public Health (Infectious Disease) Regulations 1988
Executive Head with responsibility for Environmental Health	Public Health (Control of Disease) Act 1984 Sections 11, 18, 20, 21, 22, 24, 29, 31 and Public Health (Infectious Disease) Regulations 1988
Executive Head of Service with responsibility for Revenues and Exchequer Services	Local Government Finance Act 1992 – The Council Tax (Admin. & Enforcement) Regulations 1992 – Regulation 37 & Schedule 3 – Attachment of Earnings Order

NOTE:

1. The Chief Executive is designated as the Council's Head of Paid Service pursuant to Section 4 of the Local Government and Housing Act 1989.
2. The Democratic and Electoral Services Manager is designated as the Council's Monitoring Officer pursuant to Section 5 of the Local Government and Housing Act 1989.
3. The Deputy Chief Executive is designated as the Officer responsible for the proper administration of the Council's financial affairs pursuant to Section 151 of the Local Government Act 1972.
4. The Building Control Manager is designated as the Council's Appointed Officer for the purposes of the Party Wall etc. Act 1996.
5. In the event of any of the officers appointed as Proper Officers being absent or otherwise unable to act, the Chief Executive and the Deputy Chief Executive are authorised to act as Proper Officer in their place.
6. The Chief Executive or the Proper Officer listed above is authorised to nominate in writing another officer to undertake those functions during his or her absence.
7. In the event that an officer is not identified as a Proper Officer in respect of any enactment, the Proper Officer for that function shall be the Chief Executive, who may nominate another officer to undertake that function.
8. The legislation specified above shall include any other enactment which may directly or indirectly replace it with or without amendment.